

FILED
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY **NUNC PRO TUNC** DEPUTY

JUL 15 2008

Rocky M. Contreras,

Plaintiff,

-v-

walter J Brudzinski, U.S.C.G.
Administrative Law Judge, et al.,

Defendant,

Motion to Amend [Exhibits A thru O]
in Accordance to 38 U.S.C. Section
7105(C); and 38 U.S.C. Section 5108.
Docket No.# 08CV1154 (JLS)

Plaintiff, proper

Plaintiff comes now with this motion to Amend, information which is material in accordance to 38 U.S.C. Section 7105(c); and 38 U.S.C. 5108. to the Motion and Declaration under penalty of perjury in support of Motion to proceed in Forma Pauperis and Request for Appointment of Counsel under the Civil Rights Act of 1964, 42 U.S.C. 2000e 5(f)(1); Declaration in Support of Request.

Note: in answer to Request for Appointment of Counsel, Page #5. Question- Have you recieved within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interests, dividends, retirement of annuity payments or other sources? Note: Plaintiffs, [Exhibits A thru O]. In accordance to 38 U.S.C. Section 7105(c); and 38 U.S.C. 5108.

Thank you
Sincerely,

X 
Rocky M. Contreras, Plaintiff, proper

DATED: 07-10-08. *rc*

CP

25291 R. CONTRERAS SSA# 569-37-8450 / WEEK PAID 07-21-07 \$307.00
CLAIM EXPIRES 06-28-08 07-28-07 \$307.00

YOUR CLAIM BALANCE AFTER THIS PAYMENT IS \$6440.00
UNEMPLOYMENT COMPENSATION IS TAXABLE. A QUESTION ON THE CLAIM FORM ALLOWS YOU TO REQUEST
FEDERAL INCOME TAX WITHHOLDING AT 10% OF YOUR PAYABLE AMOUNT. YOU MAKE A NEW WITHHOLDING
CHOICE ON EACH CLAIM FORM YOU SUBMIT.

ALLOW 10 DAYS FOR DELIVERY OF CHECK. DETACH THIS STUB FOR YOUR RECORD

19690910

24881 R. CONTRERAS SSA# 569-37-8450 / WEEK PAID 09-01-07 \$307.00
CLAIM EXPIRES 06-28-08 09-08-07 \$307.00

YOUR CLAIM BALANCE AFTER THIS PAYMENT IS \$4598.00
UNEMPLOYMENT COMPENSATION IS TAXABLE. A QUESTION ON THE CLAIM FORM ALLOWS YOU TO REQUEST
FEDERAL INCOME TAX WITHHOLDING AT 10% OF YOUR PAYABLE AMOUNT. YOU MAKE A NEW WITHHOLDING
CHOICE ON EACH CLAIM FORM YOU SUBMIT.

ALLOW 10 DAYS FOR DELIVERY OF CHECK. DETACH THIS STUB FOR YOUR RECORD

20886931

24084 R. CONTRERAS SSA# 569-37-8450 / WEEK PAID 09-15-07 \$307.00
CLAIM EXPIRES 06-28-08 09-22-07 \$307.00

YOUR CLAIM BALANCE AFTER THIS PAYMENT IS \$3984.00
UNEMPLOYMENT COMPENSATION IS TAXABLE. A QUESTION ON THE CLAIM FORM ALLOWS YOU TO REQUEST
FEDERAL INCOME TAX WITHHOLDING AT 10% OF YOUR PAYABLE AMOUNT. YOU MAKE A NEW WITHHOLDING
CHOICE ON EACH CLAIM FORM YOU SUBMIT.

ALLOW 10 DAYS FOR DELIVERY OF CHECK. DETACH THIS STUB FOR YOUR RECORD

21126478

14748 R. CONTRERAS SSA# 569-37-8450 / WEEK PAID 09-29-07 \$307.00
CLAIM EXPIRES 06-28-08 10-06-07 \$307.00

YOUR CLAIM BALANCE AFTER THIS PAYMENT IS \$3370.00
UNEMPLOYMENT COMPENSATION IS TAXABLE. A QUESTION ON THE CLAIM FORM ALLOWS YOU TO REQUEST
FEDERAL INCOME TAX WITHHOLDING AT 10% OF YOUR PAYABLE AMOUNT. YOU MAKE A NEW WITHHOLDING
CHOICE ON EACH CLAIM FORM YOU SUBMIT.

ALLOW 10 DAYS FOR DELIVERY OF CHECK. DETACH THIS STUB FOR YOUR RECORD

21531589

8736 R. CONTRERAS
CLAIM EXPIRES

SSA# 569-37-8450 / WEEK PAID
06-28-08

10-13-07 \$307.00
10-20-07 \$307.00

YOUR CLAIM BALANCE AFTER THIS PAYMENT IS \$2756.00
UNEMPLOYMENT COMPENSATION IS TAXABLE. A QUESTION ON THE CLAIM FORM ALLOWS YOU TO REQUEST
FEDERAL INCOME TAX WITHHOLDING AT 10% OF YOUR PAYABLE AMOUNT. YOU MAKE A NEW WITHHOLDING
CHOICE ON EACH CLAIM FORM YOU SUBMIT.

ALLOW 10 DAYS FOR DELIVERY OF CHECK.

DETACH THIS STUB FOR YOUR RECORD

21876282

28595 R. CONTRERAS
CLAIM EXPIRES

SSA# 569-37-8450 / WEEK PAID
06-28-08

10-27-07 \$307.00
11-03-07 \$307.00

YOUR CLAIM BALANCE AFTER THIS PAYMENT IS \$2142.00
UNEMPLOYMENT COMPENSATION IS TAXABLE. A QUESTION ON THE CLAIM FORM ALLOWS YOU TO REQUEST
FEDERAL INCOME TAX WITHHOLDING AT 10% OF YOUR PAYABLE AMOUNT. YOU MAKE A NEW WITHHOLDING
CHOICE ON EACH CLAIM FORM YOU SUBMIT.

ALLOW 10 DAYS FOR DELIVERY OF CHECK.

DETACH THIS STUB FOR YOUR RECORD

22235114

33393 R. CONTRERAS
CLAIM EXPIRES

SSA# 569-37-8450 / WEEK PAID
06-28-08

11-10-07 \$307.00
11-17-07 \$307.00

YOUR CLAIM BALANCE AFTER THIS PAYMENT IS \$1528.00
UNEMPLOYMENT COMPENSATION IS TAXABLE. A QUESTION ON THE CLAIM FORM ALLOWS YOU TO REQUEST
FEDERAL INCOME TAX WITHHOLDING AT 10% OF YOUR PAYABLE AMOUNT. YOU MAKE A NEW WITHHOLDING
CHOICE ON EACH CLAIM FORM YOU SUBMIT.

ALLOW 10 DAYS FOR DELIVERY OF CHECK.

DETACH THIS STUB FOR YOUR RECORD

22624807

28554 R. CONTRERAS
CLAIM EXPIRES

SSA# 569-37-8450 / WEEK PAID
06-28-08

11-24-07 \$307.00
12-01-07 \$307.00

YOUR CLAIM BALANCE AFTER THIS PAYMENT IS \$914.00
UNEMPLOYMENT COMPENSATION IS TAXABLE. A QUESTION ON THE CLAIM FORM ALLOWS YOU TO REQUEST
FEDERAL INCOME TAX WITHHOLDING AT 10% OF YOUR PAYABLE AMOUNT. YOU MAKE A NEW WITHHOLDING
CHOICE ON EACH CLAIM FORM YOU SUBMIT.

ALLOW 10 DAYS FOR DELIVERY OF CHECK.

DETACH THIS STUB FOR YOUR RECORD

23018611



LOCAL UNION No. 100 I.B.E.W.
AFFILIATED WITH FRESNO, MADERA, KINGS AND
TULARE COUNTIES BUILDING TRADES COUNCIL, AFI-CIO

Phone (559) 251-8241

1921 North Gateway, Suite 102, Fresno, California 93727

Introducing Card No. L.U. No.
Name Rocky M. Contreras Date: January 4, 2008
Street Address 519 N. STEVENSON ST
City VISALIA State CA Zip 93277
Contractor's Name CONTRA COSTA ELECTRIC
Worksite SHOP Location -
Day and Time 01/04/2008 12:00:00 AM Labor Classification(JW) JOURNEYMAN WIREMAN
Wage Scale 30.35 Travel \$10.50

Gerald Zumwalt
(Business Manager)

PLEASE NOTE:

You are required to present identification, such as a valid Driver's License and a Social Security Card, to your new employer. This is required by law to complete the I-9 form.

01/11/2008 11:21 9252291958

PAYROLL

PAGE 01/02

ROCKY M. CONTRERAS

Emp#: 18964 Dept: 100

Pay Ending 01/13/2008
This Pay To Date

Earnings	Hours	Rate	Wages	Adjustments	Gross	Deductions	Net Pay
Regular	2.00	30.350	60.70		60.70		
						Federal Tax	
						SocSec	3.76
						Medicare	0.88
						State Tax	
						Local Tax	
						SDI	0.49
						Ducs	
						Vac	7.28
						Misc	0.20
							7.28
							0.20

7075

Net

48.09

* Non-Negotiable *

7075

ROCKY M. CONTRERAS
 Earnings Hours Rate Wages Adjustments Emp# : 18964 Dept : 100
 Regular 32.00 30.350 971.20 Gross 1,244.38 Pay Ending 01/13/2008
 Overtime 6.00 45.530 273.18 Federal Tax 148.82 This Pay 1,305.08
 Adj. to Net 52.50 Medicare 77.15 SocSec 80.91
 State Tax 18.04 Medicare 18.92
 Local Tax 37.05
 SDI 9.96
 Dues 10.45
 Vac 149.33
 Misc 3.80 4.00

CHECK NO. 100879 CONTRA COSTA ELECTRIC, INC. P.O. BOX 2523, MARTINEZ, CA 94553 (925) 229-4250

Net 852.73

ROCKY M. CONTRERAS
 Earnings Hours Rate Wages Adjustments Emp# : 18964 Dept : 100
 Regular 22.50 30.350 682.88 Gross 865.00 Pay Ending 01/20/2008
 Overtime 4.00 45.530 182.12 Federal Tax 91.91 This Pay 2,170.08
 Adj. to Net 42.00 Medicare 53.63 SocSec 134.54
 State Tax 12.54 Medicare 31.46
 Local Tax 17.35
 SDI 6.92
 Dues 17.37
 Vac 103.80
 Misc 2.65 6.65

CHECK NO. 101445 CONTRA COSTA ELECTRIC, INC. P.O. BOX 2523, MARTINEZ, CA 94553 (925) 229-4250

Net 618.20

W

Earnings		ROCKY M. CONTRERAS		Hours		Rate		Wages		Adjustments		Emp# : 18964		Dept : 100		Deductions		Pay Ending		01/27/2008	
Regular	32.00	30.350	971.20																		
Overtime	8.00	45.530	364.24																		

Adj. to Net

42.00

Gross	1,335.44	3,505.52
Federal Tax	162.48	403.21
SocSec	82.80	217.34
Medicare	19.36	50.82
State Tax	42.52	96.92
Local Tax		
SDI	10.68	28.05
Dues		
Vac	160.25	420.66
Misc	4.00	10.65

CHECK NO. 102016 CONTRA COSTA ELECTRIC, INC. P.O. BOX 2523, MARTINEZ, CA 94553 (925) 229-4250

Net 895.35

Earnings		ROCKY M. CONTRERAS		Hours		Rate		Wages		Adjustments		Emp# : 18964		Dept : 100		Deductions		Pay Ending		02/03/2008	
Regular	26.00	30.350	789.11																		
Overtime	6.00	45.530	273.18																		

Adj. to Net

42.00

Gross	1,062.29	4,567.81
Federal Tax	121.51	524.72
SocSec	65.86	283.20
Medicare	15.40	66.22
State Tax	26.13	123.05
Local Tax		
SDI	8.50	36.55
Dues		
Vac	127.47	548.13
Misc	3.20	13.85

CHECK NO. 102622 CONTRA COSTA ELECTRIC, INC. P.O. BOX 2523, MARTINEZ, CA 94553 (925) 229-4250

Net 736.22

4



Contra Costa Electric

An EMCOR Company

Contra Costa Electric, Inc.

4690 E. Carmen Ave.

Fresno, CA 93703

Ph: 559.252.1114 • Fax: 559.252.1177

Rocky Contreras,

I would like to individually thank you for all your hard work here at the Pixley Ethanol Plant. Your dedication, quality and craftsmanship have not gone unnoticed. Your efforts and focus on safety is greatly appreciated

Please accept this gift card for all you have done.

Thank You,

Matt Furrer
Project Manager
Contra Costa Electric



LOCAL UNION No. 100 I.B.E.W.
AFFILIATED WITH FRESNO, MADERA, KINGS AND
TULARE COUNTIES BUILDING TRADES COUNCIL, AFL-CIO

Phone (559) 251-8241

1921 North Gateway, Suite 102, Fresno, California 93727

Introducing _____ Card No. _____ L.U. No. _____
Name Rocky M. Contreras Date: February 12, 2008
Street Address 519 N. STEVENSON ST
City VISALIA State CA Zip 93277
Contractor's Name HOWE ELECTRIC
Worksite SHOP Location -
Day and Time 2/13/2008 7:00:00 AM Labor Classification(JW) JOURNEYMAN WIREMAN
Wage Scale 30.35 Travel \$

Gerald Zumwalt
(Business Manager)

PLEASE NOTE:

You are required to present identification, such as a valid Driver's License and a Social Security Card, to your new employer. This is required by law to complete the I-9 form.

H

HOWE Electric, Inc.

4682 E. OLIVE AVENUE, FRESNO, CALIFORNIA 93702-1636

082197

HOURS		RATE	EARNINGS		OTHER PAY		DESCRIPTION
REGULAR	OVERTIME		REGULAR	OVERTIME	BASIS	RATE	
2.00		30.35	60.70		1.00	20.00	DGSCRN

2-07-08 to

2-13-08

CHECK NO.

NO. 82197

TOTAL GROSS

60.70

HOURS		RATE	EARNINGS		OTHER PAY		DESCRIPTION
REGULAR	OVERTIME		REGULAR	OVERTIME	BASIS	RATE	
.88		3.76	CASDI		.49	LMCC	.20 VAC

7.28

TOTAL DEDUCTIONS

12.61

EMPLOYEE INFORMATION
YEAR - TO - DATE TOTALS

ROCKY MEL CONTRERAS	4342	GROSS	60.70	FICA	4.64	SDI	.49
		FWH	.00	SMH	.00		

68.09

NET PAY
HOWE Electric, Inc.

4682 E. OLIVE AVENUE, FRESNO, CALIFORNIA 93702-1636

082419

HOURS		RATE	EARNINGS		OTHER PAY		DESCRIPTION
REGULAR	OVERTIME		REGULAR	OVERTIME	BASIS	RATE	
32.00		30.35	971.20				

PAY PERIOD

2-14-08 to

2-20-08

CHECK NO.

NO. 82419

TOTAL GROSS

971.20

DEDUCTIONS THIS PERIOD

FWH	87.46	MED	14.08	SOC	60.22	CASDI	7.77	CASWH	14.75
LMCC	3.20	VAC	116.54						

TOTAL DEDUCTIONS

304.02

EMPLOYEE INFORMATION
YEAR - TO - DATE TOTALS

ROCKY MEL CONTRERAS	4342	GROSS	1031.90	FICA	78.94	SDI	8.26
		FWH	87.46	SMH	14.75		

NET PAY

667.18

HOWE Electric, Inc.

4682 E. OLIVE AVENUE, FRESNO, CALIFORNIA 93702-1636

082651

HOURS		RATE	EARNINGS		OTHER PAY			
REGULAR	OVERTIME		REGULAR	OVERTIME	BASIS	RATE	AMOUNT	DESCRIPTION
40.00		30.35	1214.00					

2-21-08 to
2-27-08

CHECK NO.

NO. 82651

TOTAL GROSS

1214.00

DEDUCTIONS THIS PERIOD

FWH	123.88	MED	17.61	SOC	75.27	CASDI	9.71	CASWH	26.39
LMCC	4.00	VAC	145.68						

TOTAL DEDUCTIONS

402.54

EMPLOYEE INFORMATION

YEAR - TO - DATE TOTALS

NET PAY

ROCKY MEL CONTRERAS	4342	GROSS	2245.90	FICA	171.82	SDI	17.97
		FWH	211.34	SWH	41.14		
							811.46

HOWE Electric, Inc.

4682 E. OLIVE AVENUE, FRESNO, CALIFORNIA 93702-1636

082869

HOURS		RATE	EARNINGS		OTHER PAY			DESCRIPTION
REGULAR	OVERTIME		REGULAR	OVERTIME	BASIS	RATE	AMOUNT	
38.50		30.35	1168.48					

2-28-08 to
3-05-08

CHECK NO.

NO. 82869

TOTAL GROSS

1168.48

DEDUCTIONS THIS PERIOD

FWH	117.05	MED	16.94	SOC	72.44	CASDI	9.35	CASWH	23.65
LMCC	3.85	VAC	140.22						

TOTAL DEDUCTIONS

383.50

EMPLOYEE INFORMATION

YEAR - TO - DATE TOTALS

NET PAY

ROCKY MEL CONTRERAS	4342	GROSS	3414.38	FICA	261.20	SDI	27.32
		FWH	328.39	SWH	64.79		
							784.98

HOWE Electric, Inc.
4682 E. OLIVE AVENUE, FRESNO, CALIFORNIA 93702-1636

084165

HOURS		RATE	EARNINGS		BASIS	OTHER PAY		DESCRIPTION
REGULAR	OVERTIME		REGULAR	OVERTIME		AMOUNT	AMOUNT	
26.00		30.35	789.10		3.00	10.50	31.50	SUB
					1.00	25.00	25.00	DGSCRN
								4-10-08 to 4-16-08

CHECK NO.

NO. 84165

TOTAL GROSS

789.10

HOURS		RATE	EARNINGS		BASIS	OTHER PAY		DESCRIPTION
REGULAR	OVERTIME		REGULAR	OVERTIME		AMOUNT	AMOUNT	
FWH	60.14	MED	11.44	SOC	48.93	CASDI	6.31	CASWH
LMCC	2.60	VAC	94.69					
								7.46

TOTAL DEDUCTIONS

231.57

NET PAY

HOURS		RATE	EARNINGS		BASIS	OTHER PAY		DESCRIPTION
REGULAR	OVERTIME		REGULAR	OVERTIME		AMOUNT	AMOUNT	
ROCKY MEL CONTRERAS	4342		GROSS	4203.48	FICA	321.57	SDI	33.63
			FWH	388.53	SMH	72.25		
								614.03

HOWE Electric, Inc.
4682 E. OLIVE AVENUE, FRESNO, CALIFORNIA 93702-1636

084357

HOURS		RATE	EARNINGS		BASIS	OTHER PAY		DESCRIPTION
REGULAR	OVERTIME		REGULAR	OVERTIME		AMOUNT	AMOUNT	
40.00		30.35	1214.00		5.00	10.50	52.50	SUB
								4-17-08 to 4-23-08

PAY PERIOD

CHECK NO.

NO. 84357

TOTAL GROSS

1214.00

HOURS		RATE	EARNINGS		BASIS	OTHER PAY		DESCRIPTION
REGULAR	OVERTIME		REGULAR	OVERTIME		AMOUNT	AMOUNT	
FWH	144.07	MED	17.60	SOC	75.26	CASDI	9.71	CASWH
LMCC	4.00	VAC	145.68					
								34.06

TOTAL DEDUCTIONS

430.38

NET PAY

HOURS		RATE	EARNINGS		BASIS	OTHER PAY		DESCRIPTION
REGULAR	OVERTIME		REGULAR	OVERTIME		AMOUNT	AMOUNT	
ROCKY MEL CONTRERAS	4342		GROSS	5417.48	FICA	414.43	SDI	43.34
			FWH	532.60	SMH	106.31		
								836.12

✓

HOWE Electric, Inc.
4682 E. OLIVE AVENUE, FRESNO, CALIFORNIA 93702-1636

084358

HOURS		RATE	EARNINGS		OTHER PAY		
REGULAR	OVERTIME		REGULAR	OVERTIME	BASIS	RATE	AMOUNT
16.00		30.35	485.60		2.00	10.50	21.00
							SUB

4-24-08 to
4-25-08

CHECK NO.

NO. 84358

TOTAL GROSS

485.60

DEDUCTIONS THIS PERIOD

FWH	34.81	MED	7.04	SOC	30.11	CASDI	3.88	CASWH	5.73
LMCC	1.60	VAC	58.27						

TOTAL
DEDUCTIONS

141.44

EMPLOYEE INFORMATION

YEAR-TO-DATE TOTALS

ROCKY MEL CONTRERAS		GROSS	5903.08	FICA	451.58	SDI	47.22
4342		FWH	567.41	SWH	112.04		

NET PAY

365.16



HOWE Electric, Inc.

NOTICE OF TERMINATION

Name: Ricky Mel Contreras

Social Security Number: 569-37-8450

I.B.E.W. Local Union #: 100

Date Terminated: 4/25/08

Occupation:

- ☐ Apprentice
☐ Foreman
☐ General Foreman

- ☒ Journeyman
☐ Superintendent
☐ Other

Reason for Termination (Please check One)

- Layoff
☒ Reduction in Force
☐ Requested
☐ Other (Explain)

- Discharge
☐ Absenteeism
☐ Misconduct
☐ Not Qualified
☐ Other (Explain)

- Voluntary Termination
☐ Dissatisfied
☐ Sickness/Injury
☐ Retirement
☐ Other (Explain)

Explanation:

EMPLOYEE - WHITE

HOWE ELECTRIC, INC. - YELLOW/PINK

Supervisor Signature

[Signature]

Date

4/25/08

UNEMPLOYMENT INSURANCE



A GUIDE TO BENEFITS AND EMPLOYMENT SERVICES

**Bilingual
Representatives
Available**

EDD Employment
Development
Department
State of California

This booklet is issued by the California Employment Development Department. It contains general information about your rights, responsibilities, and benefits under the California Unemployment Insurance laws. The information is not intended to cover all provisions of the law. For specific information regarding your claim, call the Employment Development Department. The telephone numbers are listed inside this handbook.

✓

EMPLOYMENT DEVELOPMENT
DEPARTMENT
P.O. BOX 419002
SACRAMENTO, CA 95841

Rocky M. Contreras
519 S Stevenson St. Apt C
Visalia, CA

93277-2544



UNITED STATES POSTAGE
02 1M
0004229807 JUN 16 2008
MAILED FROM ZIP CODE 95841
\$01.00⁰⁰

